

COMMONWEALTH OF MASSACHUSETTS

LAND COURT

DEPARTMENT OF THE TRIAL COURT

DOCKET

DATE FILED: November 26, 2003

CASE SUB TYPE: COT - Complaint to Remove Cloud on Title, Chapter 240, Sec. 6

CASE TYPE: Miscellaneous

CASE NO.: Misc. 294558

LAND IN: City Of Peabody

RECEIVED
U.S. ATTORNEY
04 MAR -1, PM 4: 11

ON: 256 Lynnfield Street

PLAINTIFF(S): FAIRBANKS CAPITAL CORP, formerly known as THE FIRST NATIONAL BANK OF CHICAGO AS TRUSTEE UNDER THE POOLING AND SERVICE.	DEFENDANT(S): JAMES MORIN. NANCY MORIN. THERESA MORIN. UNITED STATES OF AMERICA. VERIZON YELLOW PAGES COMPANY, formerly known as BELL ATLANTIC YELLOW PAGES CO..
PLAINTIFFS' ATTORNEY(S): 1 11/26/2003 VERONICA CABALLERO-VIVEIROS, Esq. HARMON LAW OFFICES, PC P.o. Box 610389 Newton Highlands, MA 02161-0389 (617) 558-0500 appears for FAIRBANKS CAPITAL CORP, formerly known as THE FIRST NATIONAL BANK OF CHICAGO AS TRUSTEE UNDER THE POOLING AND SERVICE	DEFENDANTS' ATTORNEY(S):
2 11/26/2003 DAVID ROSEN, Esq. HARMON LAW OFFICE P.o. Box 610389 Newton, MA 02458 (617) 558-0500 appears for FAIRBANKS CAPITAL CORP, formerly known as THE FIRST NATIONAL BANK OF CHICAGO AS TRUSTEE UNDER THE POOLING AND SERVICE	

#	Code	Entry	Date
1	CF	Complaint to Remove Cloud on Title, Chapter 240, Sec. 6 filed	11/26/2003
2	SRS	Summons returned to court with service on James A. Morin filed	01/07/2004
3	SRS	Summons returned to court with service on Theresa Morin filed	01/07/2004

#	Code	Entry	Date
4	SRS	Summons returned to court with service on Nancy Morin filed	01/07/2004
5	MISC	Notice of Filing of Notice of Removal to the United States District Court for the District of Massachusetts, filed	01/28/2004

Page Two (2) of Two (2) Pages

I HEREBY ATTEST AND CERTIFY, ON
February 25, 2004 THAT THE
 FOREGOING DOCUMENT IS A FULL
 TRUE AND CORRECT COPY OF THE
 ORIGINAL OM FILE IN MY OFFICE
 AND IN MY LEGAL CUSTODY.

ANN-MARIE J. BREUER
 DEPUTY RECORDER
 LAND COURT
 BY M. A. Breuer, Asst. CLK.

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

RECEIVED
U.S. DISTRICT COURT

Feb 5 2004

SUFFOLK, ss.

FAIRBANKS CAPITAL CORP., as)
SERVICER FOR BANK ONE, N.A. f/k/a)
THE FIRST NATIONAL BANK OF CHICAGO,)
as TRUSTEE UNDER THE POOLING AND)
SERVICING AGREEMENT DATED AS OF)
SEPTEMBER 1, 1998, SERIES 1998-B,)
Plaintiff,)
v.)
JAMES MORIN, NANCY MORIN,)
THERESA MORIN, UNITED STATES OF)
AMERICA, and VERIZON YELLOW PAGES)
COMPANY f/k/a BELL ATLANTIC YELLOW)
PAGES CO. f/k/a NYNEX INFOR.,)
Defendants.)

AB
No. 294558
Suffolk County Land Court

NOTICE OF FILING OF NOTICE OF REMOVAL

PLEASE TAKE NOTICE that, on January 23, 2004, a Notice of Removal of the
above-titled action was filed with the Clerk of the United States District Court for the District of
Massachusetts. The new civil action number is 04-CV-10146-MLW. The Notice was filed by the
United States of America.

PLEASE TAKE FURTHER NOTICE that, as provided by 28 U.S.C. § 1446(d), the
Suffolk County Land Court "shall proceed no further unless and until the case is
remanded."

A copy of the Notice of Removal, without attachments, is annexed to this Notice. This Notice is furnished and shall be filed as provided by 28 U.S.C. § 1446(d).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

BARBARA HEALY SMITH
Assistant United States Attorney



LYDIA D. BOTTOME
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 55
Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 307-6560

RECEIVED
U.S. ATTORNEY

03/02/2004 2:55

HARMON LAW OFFICES, P.C.150 CALIFORNIA STREET
NEWTON, MASSACHUSETTS 02458

MAILING ADDRESS:

P.O. BOX 610389

NEWTON HIGHLANDS, MA 02461-0389

TEL (617) 558-8400

FAX (617) 244-7304

*SERVING MASSACHUSETTS, NEW HAMPSHIRE AND RHODE ISLAND*VERONICA C. VIVEIROS
(617) 558-8481 direct dial
(617) 244-7304 facsimile
vviveiros@harmonlaw.com

December 2003

**CERTIFIED MAIL 7106 3901 9848 0873 5764
RETURN RECEIPT REQUESTED**United States Attorney
United States Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210Re: Fairbanks Capital Corp. v. James Morin, et al.
Land Court Docket No. 294558

Dear Sir/Madam:

Pursuant to 28 U.S.C. 2410(b), I am enclosing a copy of the Summons and Verified Complaint to Reform Mortgage, Motion for Ex Parte Approval of Memorandum of Lis Pendens, Memorandum of Lis Pendens, and Findings on Application for Ex Parte Memorandum of Lis Pendens for United States of America.

Thank you for your attention to this matter.

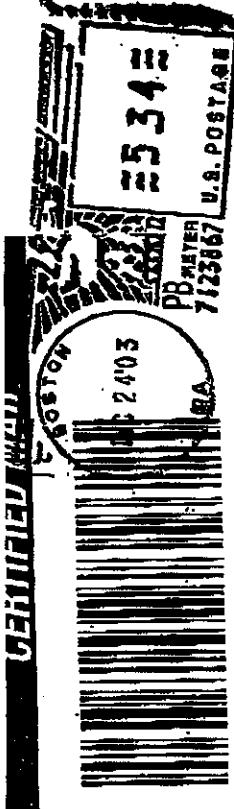
Sincerely yours,

HARMON LAW OFFICES, P.C.

Veronica C. Viveiros
VCV/kt

RECEIVED
U.S. ATTORNEY

03 DEC 29 PM 1:22



HARMON LAW OFFICES, P.C.

P.O. Box 610389

NEWTON HIGHLANDS, MASSACHUSETTS 02461-0389

RETURN RECEIPT REQUESTED

United States Attorney
United States Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210

U.S. MAIL
SCREENED

COMMONWEALTH OF MASSACHUSETTS
 LAND COURT
 DEPARTMENT OF THE TRIAL COURT

CIVIL ACTION

NO. 294558

Fairbanks Capital Corp., as Servicer for Bank One, N.A.
f/k/a The First National Bank of Chicago, as Trustee, Plaintiff(s)
 under the Pooling and Servicing Agreement dated as of
 September 1, 1998, Series 1998-B

v.

James Morin, Nancy Morin, Theresa Morin, United States
of America, and Verizon Yellow Pages Company f/k/a, Defendant(s)
 Bell Atlantic Yellow Pages Co. f/k/a Nynex Infor.

SUMMONS

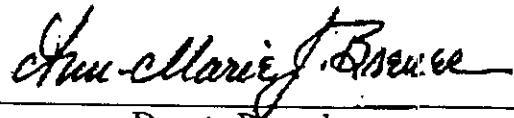
To the above-named Defendant: United States of America, Special Procedures, P.O. Box 9112,
 Stop 20800, J.F.K. Post Office, Boston, MA 02031
 You are hereby summoned and required to serve upon Veronica C. Viveiros, Esq.,
Harmon Law Offices, P.C.

Plaintiff's attorney, whose address is PO Box 610389, Newton Highlands, MA 02461- 0389, an answer
 to the complaint which is herewith served upon you, within 20* days after service of this summons upon
 you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for
 the relief demanded in the complaint. You are also required to file your answer to the complaint in the
 office of the Recorder of this court at Boston either before service upon plaintiff's attorney or within a
 reasonable time thereafter.

Unless otherwise provided by Rule 13(a) your answer must state as a counterclaim any claim
 which you may have against the plaintiff which arises out the transaction or occurrence that is the subject
 matter of the plaintiff's claim or you will therefore be barred from making such claim in any other action.

Witness, KARYN F. SCHEIER, Chief Justice, at Boston, the 10th day of

December, 20 03.



Deputy Recorder

NOTES

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.
3. TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED
 (1) EQUITY — (2) OTHER
4. *If the Commonwealth or an officer of agency thereof is a defendant, the time to be inserted is 60 days.